



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

in the application of:

Kreider *et al.*

Appl. No. 10 054,967

Filed: January 25, 2002

For: **Methods of Using Chemokine β -6**

Confirmation No. 9197

Art Unit: 1646

Examiner: *To Be Assigned*

Atty. Docket: 1488.034000B EKS HCC

Information Disclosure Statement

Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. A copy of each document is provided.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following, in regards to non-English language document **AM1** cited on Form PTO 1449:

Document **AM1**, European Patent No. EP 0 488 900 A1, is in the French language and appears to relate to a protein with cytosine activity useful for the treatment of disease. An English language abstract of Document **AM1** is provided as Document **AS19**.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants also wish to bring to the attention of the Examiner that SEQ ID NO:1 and the corresponding cDNA clone of this application is related to SEQ ID NO:126873 in co-pending U.S. Patent Application No. 09 912,293. A legible copy of those portions of U.S.

Patent Application No. 09 912,293 which caused it to be listed on the attached Form 1449 is submitted herewith as Document **AS20**.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

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Art Unit 1646

Re: U.S. Utility Patent Application
Appl. No. 10/054,967; Filed: January 25, 2002
For: **Methods of Using Chemokine B-6**
Inventors: Kreider *et al.*
Our Ref: 1488.034000B/EKS/HCC

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Information Disclosure Statement;
2. A listing of the cited documents on form PTO-1449; and
3. Copies of the cited document on form PTO-1449 (AA1-AA1; AL1-AN2; and AR1-AS20); and
4. Return Postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Helene C. Carlson
Agent for Applicants
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EKS:HCC:krm
Enclosures